

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No.: 21-CR-108 (2) (PAM/TNL)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TOU THAO,

Defendant.

**MOTION FOR BILL OF
PARTICULARS**

The Defendant, Mr. Tou Thao, by and through his attorneys, Robert Paule and Natalie R. Paule, respectfully moves the Court pursuant to Rule 7(f) for an order directing the Government file a Bill of Particulars. Our grounds:

1. The indictment is unhelpful in providing specific notice.
2. The indictment alleges in Count 2 that Mr. Thao willfully deprived George Floyd of the right to be free from unreasonable search and seizures which resulted in bodily injury or death.
 - a. Mr. Thao requests specific notice of how his particular actions deprived Mr. Floyd of the right to be free from unreasonable search and seizure, and how Mr. Thao's actions resulted in or contributed to the bodily injury or death of Mr. Floyd.

3. The indictment alleges in Count 3 that Mr. Thao willfully failed to aid Mr. Floyd and acted with deliberate indifference to a substantial risk of harm to Mr. Floyd.
 - a. Mr. Thao requests specific notice as to how he willfully failed to aid Mr. Floyd or how he acted with deliberate indifference to a substantial risk of harm to Mr. Floyd.
 - b. Mr. Thao also respectfully requests specific notice as to what the substantial risk of harm to Mr. Floyd was that Mr. Thao allegedly ignored.
4. We would be remiss in not filing this Motion. *United States v. Hance*, 501 F.3d 900, 906 (8th Cir. 2007)(failure to file a Motion for Bill of Particulars waves the issue on appeal).

This Motion is based upon the files, records and proceedings herein, such testimony as may be presented at the motion hearing, and any briefing which the Court may require thereafter.

Respectfully submitted,

Dated: This 3rd day of August, 2021

/s/ Robert M. Paule
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